

Entered -10-9-00 - sb  
CL 00L0614 - GWENDOLYN BURNS

CLAIM OF:

MARIE T. ALLEN  
2460 Peachtree Road, #309  
Atlanta, Georgia 30305

01- *R* -1407

For vehicular damages alleged to have been sustained when a vehicle drove over a metal plate in the roadway on September 17, 2000 at Powers Ferry Road & Londonberry Road.

THIS ADVERSED REPORT IS  
APPROVED

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

ADVERSED BY  
CITY COUNCIL SEP 17 2001

## ADVERSE REPORT

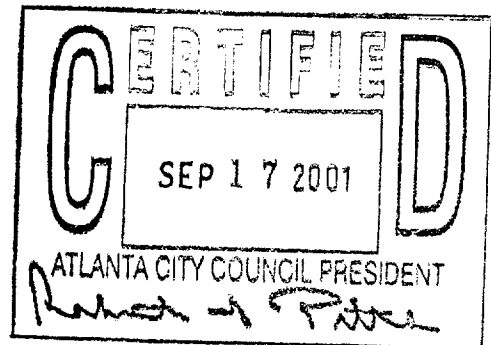
PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: *Public Safety*

CHAIR: *9/17/01* *C. T. Martin*

*Sherry Doney*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
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CERTIFIED  
SEP 17 2001  
*[Signature]*  
DEPUTY MUNICIPAL CLERK



**CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK**

**55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103**

September 19, 2001

Marie T. Allen  
2460 Peachtree Road, #309  
Atlanta, Georgia 30305

**01-R-1407**

Dear Ms. Allen:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on September 17, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,  
*Rhonda Dauphin Johnson*

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0614

Date: August 17, 2001

Claimant /Victim MARIE T. ALLEN  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 2460 Peachtree Road, #309, Atlanta, Georgia 30305  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,038.33 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 9/27/00 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 9/17/00 Place: Powers Ferry Road & Londonberry Road  
Department \_\_\_\_\_ Division \_\_\_\_\_  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: Claimant alleges that her vehicle sustained property damage when she drove over a metal plate in the roadway. However, the location of claimant's incident falls outside the City's jurisdiction. The claimant has been advised of same and her claim has been forwarded to Fulton County Government for resolution.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other X  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_  
City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 08-27-01  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 3122  
9/17/01  
6:38 PM

Atlanta City Council

Regular Session

MULTIPLE  
01-R-1407

Claim Items 1 through 19

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 1  
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	NV Wooldard	Y Martin	Y Emmons
Y Bond	Y Morris	E Maddox	NV Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE